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Notice of Allowability	Application No.	Applicant(s)	
	10/617,505	MUKAI ET AL.	
	Examiner	Art Unit	
	Marie R. Yamnitzky	1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment received April 03, 2006.
2. ☒ The allowed claim(s) is/are 10-18 and 25-33 (renumbered as 1-18, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/880,612.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>06072006</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the examiner's amendment to the claims was given in a telephone interview with Albin Gess on June 06, 2006.

The application has been amended as follows:

In the specification:

Page 1, the paragraph added after line 5 by the amendment filed July 11, 2003 has been amended as follows:

This is a divisional application of U.S. Serial No. 09/880,612, filed on June 13, 2001, now U.S. Patent No. 6,947,130.

In the claims:

Claim 10, line 2: --by weight-- has been inserted after "70%".

Claim 10, line 13: "100" has been changed to --110--.

Claim 10, line 15: "Interior" has been changed to --Interim--.

Claim 10, line 17: "radian" has been changed to --radiant--.

Claim 10, line 20: "50.5" has been changed to --505--.

Claim 12, line 6: "CeMgAl₁₁O₁₉: Mn²⁺;" has been changed to --CeMgAl₁₁O₁₉:Mn²⁺;--.

Claim 15, line 2: --by weight-- has been inserted after "70%".

Claim 15, line 12: "100" has been changed to --110--.

Claim 15, line 14: "Interior" has been changed to --Interim--.

Claim 15, line 16: "radian" has been changed to --radiant--.

Claim 15, line 19: "50.5" has been changed to --505--.

Claim 25, line 2: --by weight-- has been inserted after "70%".

Claim 25, line 13: "110" has been changed to --115--.

Claim 25, line 17: "the" has been changed to --an--.

Claim 25, line 19: "radiant" (first occurrence) has been deleted.

Claim 27, line 6: "CeMgAl₁₁O₁₉:Mn²⁺;" has been changed to --CeMgAl₁₁O₁₉:Mn²⁺;--.

Claim 30, line 2: --by weight-- has been inserted after "70%".

Claim 30, line 12: "110" has been changed to --115--.

Claim 33, line 5: "Y₂O₃:Eu³⁺; and" has been changed to --Y₂O₃:Eu³⁺; and--.

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The change to line 2 of claims 10, 15, 25 and 30 finds support in the specification (e.g. see page 19, line 12). Absent the insertion of --by weight--, the “at least 70%” limitation was incomplete because the basis for the percent was not specified.

The visual clarity index limitation in claims 10, 15, 25 and 30 has been amended to be commensurate with the visual clarity index limitation of original claims 10, 15, 25 and 30. The index of “no smaller than 100” as set forth in claims 10 and 15 prior to this examiner’s amendment was also not clearly supported by the original disclosure.

The other changes correct errors of a typographical nature, with the amended text being supported by the original disclosure including the original claims.

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 6:30 a.m. to 4:00 p.m. Monday, Tuesday, Thursday and Friday, and every other Wednesday from 6:30 a.m. to 3:00 p.m.

The current fax number for all official faxes is (571) 273-8300. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

MRY
June 07, 2006



**MARIE YAMNITZKY
PRIMARY EXAMINER**

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